



ENVIRONMENTAL & REGULATORY SERVICES DIVISION  
BUREAU OF PECFA  
P.O. Box 8044  
Madison, Wisconsin 53708-8044  
TTY: Contact Through Relay  
**Jim Doyle, Governor**  
**Richard J. Leinenkugel, Secretary**

## Wisconsin Department of Commerce, Bureau of PECFA Bid Document

### SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

**Bid Round:** 57  
**Comm #:** 53540-9999-29-A  
**BRRTS #:** 03-53-235613  
**Site Name:** Jax Property  
**Site Address:** 32829 Hwy 14, Gotham, 53540  
**Site Manager:** Linda Hanefeld  
**Address:** 3911 Fish Hatchery Rd  
**City, State Zip:** Fitchburg, WI 53711-5367  
**Phone:** 608-275-3310  
**e-mail:** [linda.hanefeld@wisconsin.gov](mailto:linda.hanefeld@wisconsin.gov)  
**Bid Manager:** Alan A. Hopfensperger  
**Address:** P.O. Box 8044  
**City, State Zip:** Madison, Wisconsin 53708-8044  
**Phone:** (608) 266-0562  
**e-mail:** [Alan.Hopfensperger@Wisconsin.Gov](mailto:Alan.Hopfensperger@Wisconsin.Gov)

<b>Bid-Start Date:</b>	<b>October 13, 2008</b>
<b>Questions must be received by (See Section 2 (B)):</b>	<b>October 27, 2008, 4:00 PM</b>
<b>Responses will be posted by (See Section 2 (B)):</b>	<b>November 14, 2008</b>
<b>Bid-End Date and Time:</b>	<b>November 28, 2008, 4:00 PM</b>

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

**Xer-Lith Printing-Madison, 131 W Wilson St, Madison, WI 53703**  
**Phone: (608) 257-8900 Fax: (608) 257-8900**

## **SECTION 2 – Site-Specific Bid Requirements**

### **General Comments**

Since site remediation and groundwater monitoring activities at the Jax Property is only located 10 miles from two other LUST sites that recently completed site investigation activities. Therefore, the remediation and groundwater monitoring activities at the Jax Property will be combined with site activities at the (former) Broadbent Oil site (BRRTS# 03-53-000536; PECFA# 53581067477), and the Bill's Service Station site (BRRTS# 03-24-000136, Commerce #53581-2801-10) located in Richland Center. The bidder with the lowest costs for the three sites, combined, will be selected as the winning bidder.

The Jax Property was an operating gas station whose tanks (2 x 6000 gallon unknown contents) had been abandoned in-place around 1982. The property owner has said the tanks existed at the southeast corner of the building, in the vicinity of B-8. As a result of an investigation into the source of private well contamination discovered in 1990, this site was identified as a potential contamination source. The private well was reconstructed and has been clean; ES exceedances and free product (FP) have been documented as a result of the investigation.

Soils consist of fine- to medium-grained sand; sandstone bedrock is approximately 150 feet below ground surface (bgs). Contamination documented in B-1 and B-6 near the southeast corner of the building at depths between 12-25" feet bgs, and contamination extends beneath the water table to a depth of 32' bgs.

Groundwater is approximately 25 feet bgs; flow is to the southwest. Vertical gradient is none to slightly upward. An obstruction was hit about 4' bgs when drilling MW8 so well was moved approximately 10 feet to the west. In 12/06 and 3/07, FP was measured in MW8 at approximately 6" and 3", respectively. 11/10/05 the four nearest potable wells were sampled – no detects. Wells exhibiting contamination are MW4, MW6, and MW8.

No remedial actions have been taken at the site.

### **Minimum Remedial Requirements**

This bid is designed to combine tank removal with limited excavation activities. Because the volume of petroleum-contaminated soil that will be encountered and accessible is unknown, contingency costs will be established as an attempt to build flexibility into the work-scope. When developing your bid response, take into consideration that the most highly contaminated soil appears to be at depths near the water table, which is approximately 20-25 feet bgs in sandy soils. The winner bidder may need to contract with someone having the appropriate equipment to excavate and/or provide appropriate shoring/side-slope stabilization.

Remove the two tanks that are known to be on-site. **Please note:** The cost involved with tank removal activities are not eligible for PECFA reimbursement and must not be included in the bid. It is likely monitoring well MW8 will be excavated and will need to be properly abandoned prior to any excavation work taking place. MW8 will be replaced in its same general location; specific details are outlined in the ground water section of the work scope.

Soils: Bidders should be prepared to use a field screening instrument (PID) to help guide in determining the extent of the excavation and appropriate sidewall and bottom samples. For the purposes of the bid, bidders shall assume excavation and off-site disposal of 1,000 tons of petroleum contaminated soil from beneath the tanks, to a maximum depth of 25 feet bgs, in general correspondence with the shaded area of the

Jax map (excavation dimensions: 60' x. 35' x 10' [between 15'-25' bgs]; assuming a conversion rate of 1.5 tons per cubic yard). It is assumed the overburden soils will be clean and can be replaced into the excavation at approximately the same depth from which they were excavated. Therefore bidders shall assume 1,000 cubic yards of overburden and/or former backfill material will be excavated, segregated and replaced in the excavation during backfilling/compacting operations. On page 2 of the bid response, bidders shall provide contingency unit rates (commodity costs only) for both excavation/disposal costs in the event more or less soil is actually removed and/or segregated. If a future change order is needed to modify the cost cap, Commerce will use the bid unit rates for the modifications. An appropriate number of confirmation soil samples shall be collected and analyzed for the presence of petroleum volatile organic compounds (PVOCs) plus naphthalene. Half of the samples collected shall also be analyzed for the presence of polycyclic aromatic hydrocarbons (PAHs).

Because the excavation extends into the water table, transport and disposal of saturated soil will need to be addressed. Also note the sloping requirements necessary to perform the excavations as based on soil type are to be determined by the bidders.

The cost to fulfill *all* landfill requirements for waste characterization analysis prior to soil disposal must be included. Be aware that Toxicity Characteristic Leaching Procedure (TCLP) documentation and sampling requirements vary depending on the landfill. Therefore, bidders must include a line-item cost for TCLP sample collection and analysis, to be used if required.

Groundwater: Replace monitoring well MW8 in its approximate, previous location. The replacement well should be a 6" diameter well that can be used, if necessary, for pumping (recovering) groundwater. This well shall be constructed to ch. NR141, Wis. Adm. Code standards.

Two rounds of ground water monitoring shall be conducted over the course of 6 months post-excavation in accordance with the schedule below. The first sampling event should take place at least 60 days after the excavation work is complete:

Well	Frequency	Parameters
MW-3, MW-4, MW-5, MW-6, MW-7, MW-8, MW-9, MW10, and PZ-1	Quarterly	PVOCs plus naphthalene

If any wells are found to have free product present, the free product thickness shall be measured and the free product removed prior to collecting a groundwater sample from the well. Collect samples of free product for LNAPL "properties" analyses. Water table elevations must be recorded from all wells during all monitoring events. In addition, free product thickness measurements and the volume of free product recovered must also be recorded and submitted in the final report. The cost for free product disposal must be included in the bid. Please be aware that the cost cap established by this bid can be modified down by the per well unit cost depending on the amount of free product removal activities not utilized upon completing this scope of work.

Any waste generated as a result of this scope of work must be disposed of appropriately. Waste disposal costs must be included in on page 2 of the bid response for each activity.

#### Documentation

In addition to the specific electronic reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site as listed below the contracted consulting firm must submit the following:

Data tables, flow maps and other documentation will need to be updated to include recent data. Submit a final site report will be required summarizing all pertinent site activities undertaken as a result of this bid, including but not limited to results for the soil excavation/confirmation sampling, and 2 rounds of groundwater monitoring, updated maps, tables, etc. The final site summary shall be submitted within 60 days of receiving the results of the last round of groundwater monitoring outlined in this bid specification.

The Department of Natural Resources (DNR) Project Manager shall be contacted if any well is dry during any monitoring event. The DNR Project Manager must also be contacted immediately if free product is found in any monitoring well associated with the site. The DNR Project Manager must be alerted to any other unusual occurrence(s) at the site as soon as practical after they are discovered.

After completion of the above work scope of activities, the contracted consulting firm must evaluate and determine if additional remediation/monitoring measures are necessary to aid site clean up to the extent practical to establish a stable or declining groundwater trend. If additional remedial measures are necessary, provide a summary of the necessary remedial measures and include a cost estimate for those scopes of work activities. If closure is possible, a cost estimate to closure is requested. The proposed cost estimate for further work beyond this scope of work bid is not part of this bid estimate.

Bidders shall provide line item costs for all the activities listed above in the table provided on the 2nd Page of the Bid Response.

### **SECTION 3 - Reporting Timeframes**

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).

5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

#### Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

## Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

### **SECTION 4 - Conditions of Bid**

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

## SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed or sent electronically (email) to the program. Documents received by fax or email will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

## **SECTION 6 - Bidder Disqualification**

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
  - a. Pay subcontractors after receiving payment for them.
  - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).



## BID RESPONSE

(1<sup>st</sup> Page)

Department of Commerce PECFA Program

**SITE NAME: Jax Property**

**COMMERCE #: 53540-9999-29**

**BRRTS #: 03-53-235613**

Submit Bid Response To: Cathy Voges  
Public Bid Response  
Department of Commerce PECFA Bureau  
201 W Washington Ave, Madison WI 53703-2760 or  
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: \_\_\_\_\_

Complete Mailing \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: (     ) - \_\_\_\_\_

Fax Number: (     ) - \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: \_\_\_\_\_

**BID RESPONSE****(2<sup>nd</sup> Page)**

Department of Commerce PECFA Program

**SITE NAME: Jax Property****COMMERCE #: 53540-9999-29****BRRTS #: 03-53-235613****Consulting Firm Name:** \_\_\_\_\_

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1	Soil removal and disposal cost estimate for both excavations totaling 1,000 tons (1.5 tons per cubic yard conversion factor)	\$
2	Cost estimate for excavating and stockpiling overburden approximately 1000 cubic yards of soil	\$
3	Excavation soil sampling analytical costs, including a QA/QC samples	\$
4	Cost for abandonment of monitoring well MW-8	\$
5	Install one 6-inch diameter replacement monitoring well	\$
6	Monitoring (include analytical cost) per event	\$
7	Number of monitoring events	2
8	Monitoring subtotal (Row 7 X Row 8)	\$
9	Free product removal 2 events for one well	\$
10	Documentation (reports, correspondence, etc.)	\$
11	PECFA Claim Preparation	\$
12	Other (If necessary), specify	\$
13	<b>Total Bid Amount</b>	<b>\$</b>
<b>CONTINGENCY COSTS</b> <b>(Will be Approved and Added to the Bid Cap as Needed)</b>		
•	Contingency soil removal and disposal unit cost (\$/per ton)	\$

•	Contingency soil overburden unit cost (\$/per cubic yard)	\$
•	Collection and Analysis of TCLP Soil Samples for Landfill Disposal	\$